

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Vincent Bryan *et al.* : Group Art Unit: 1173
Appln. No.: 08/944,234 :
Filed: October 6, 1997 :
For: DRILL HEAD FOR USE IN PLACING :
AN INTERVERTEBRAL DISC DEVICE :

Mail Stop: Appeal Brief--Patents

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT PURSUANT TO 37 C.F.R. § 41.33(a)

In response to the Office Action dated July 20, 2006, ("the Action") rejecting pending claims 1-3, 5-7, 13-28, 30-35, 37-50, 52-57, 59-61, 67-71, 73-76, 78-85, 87-92, 94-97, 100-102, 104-109, 111, 114-125, 128 and 130-138, and in lieu of the Notice of Appeal filed on January 22, 2007, the period for response being extended three (3) additional months by virtue of the attached petition and fee, appellants respectfully request that the Examiner enter the following amendment, and allow the now pending claims, each of which was indicated as allowable in the Action.

Amendments to the Claims begin on page 2 of this response.

Remarks begin on page 18 of this response.